



MEETING MINUTES

**SOUTH FLORIDA WATER MANAGEMENT DISTRICT
WATER RESOURCES ADVISORY COMMISSION**

Thursday, November 2, 2006, 9:00 AM

District Headquarters - B-1 Auditorium

3301 Gun Club Road

West Palm Beach, FL 33406

Members and Alternates Present:

**John Adornato
Thomas Bausch
Douglas Bournique
Walter Carson
Joe Collins
Harry Cronin
Gene Duncan
Brij Garg
Beverly Grady
Patrick Hayes
Tom Jones
Barbara Miedema
Charles Pattison
Jim Reynolds
Jeff Schmidt
Craig Tepper
Joseph Walsh
Howard Wegis**

**Michael Bauer
Bevin Beaudet
Al Calloway
Michael Collins
Jennifer Conner
Joan Davis
Jamie Furgang
Rebecca Garvoille
James Harvey
James Humble
John Lamkin
James Murley
Barbara Jean Powell
Terrence Rock Salt
Ray Scott
Bausch Thomas
Patti Webster
Perry White**

1. Welcome and Introductions - Michael Collins, Chair

Chair Collins welcomed everyone, read the Florida Statutes regarding agenda changes, changed the order of items 5 and 8 and substituted the presentation for item 4 in the agenda; item 9 Chris Sweazy will do the presentation.

2. Member Issues

30m

Barbara Jean Powel: US Fish and Wildlife Service has published a notice in the Federal Register that additional critical habitat for the Cape Sable Seaside Sparrow will probably be designated in areas scheduled for hydropattern restoration. This will affect what we are planning on doing.

Chair Collins: Because of the suit by the Miccosukee tribe, there is a conflict with putting more water into the Everglades. USFWS is bound by the Endangered Species Act. We hope that when we restore the natural flow we will work our way thru this.

Rock Salt: The restoration is compatible with the Endangered Species Act, how can it be harmful if we restore it to the natural hydrology?

Barbara Jean Powel: The plan suggests that it will continue during the breeding season. It should be subject to peer review prior to implementation, and not after.

Rock Salt: Restoration will result in lower, not higher flows, there will not be an increase of water. There will be lower flows to those areas.

Gene Duncan: For the last 8 years USFWS has been working outside of the bound of the Endangered Species Act. This action will designate a critical area and it will mean that the park will never see restoration. If the bird is there there will not be restoration.

Ray Scott: We requested the ERP revisions to be in the agenda, I don't want this to fall off.

Patrick Hayes thanked the staff for the new format of the meeting.

Gene Duncan: There are meetings being held in Broward County regarding relaxation of water quality standards, I encourage people to attend.

Chair Collins: Our view on reuse standards is that the water has to be brought to highest standards that exist now. They are dumping to tide without treatment.

Bevin Beaudet: This is a proposal to treat to higher standards not relaxation of water quality standards.

Chair Collins: After Friday's meeting I will bring this back to the WRAC for discussion. We have not relaxed our view on water quality standards.

Rebecca Garvoille: When is the LEC water supply plan coming to the WRAC?

John Mulliken: The WRAC Issues Workshop will be on November 15 in Broward County and it will be presented to the WRAC mostly after the New Year.

3. Malcolm "Bubba" Wade, Chair - 15p 15d

Lake Okeechobee Protection Plan Update - Susan Gray, Ph.D., Dep. Director, Watershed Mgt. Dept., SFWMD - 5p

Works of the District Rule Revisions Update - Steffany Gornak, Sr. Supervising Environmental Analyst, Okeechobee Service Center, SFWMD - 10p 15d

30p 30d

Bubba Wade: The Lake Okeechobee Committee has been working on draft recommendations. The intent is to give it to the WRAC as soon as possible. The Lake Okeechobee Committee will address this at the next meeting and rank the recommendations in priority order to see what can be implemented as soon as possible. There were discussions about the ERP rule; the concerns were that it will be presented to the WRAC after the comment period was over.

Damon Meier: We will receive comments until after November 6 and we will work on the draft until February and then it will come back to the WRAC.

Susan Gray gave an update on the Lake Okeechobee TMDL, this is part of our three year statutory obligation for the Lake Okeechobee Protection Plan report.

There were questions from members regarding TMDLs loads from previous years and comments on the loads of the tributaries north of the Lake, as established by FDEP.

Chair Collins noticed that there was a consensus that comments from the WRAC should be presented prior to the November 30 review deadline. He will ask the Governing Board to request for an extension of the deadline.

Steffany Gornak presented information on the works of the District rule amendments

Bubba Wade: This is an interim step until the TMDLs are established.

Public Comments:

Paul Gray, DEP did a study to come up with the TMDLs we have now, they came up with tonnage instead of concentration, because it was the way the models worked.

John Marshall, trees are considered part of the BMPs, there is a study coming up that will show how much of the nutrients are absorbed by the trees.

4. Public Access and Use Programs in the Kissimmee River and Chain of Lakes Areas - Fred Davis, Dir., Division of Land Stewardship, SFWMD

* Public Comment - 15m

30p 30d

Fred Davis presented on the Public Access and Use Program in the Kissimmee River and Chain of Lakes Area

David Lithgow thanked the SFWMD for the opportunities, we are working thru all the issues and I am sure we would find a resolution

Byron Maharrey, Thanked Fred Davis for his presentation. Talked about the discrimination to airboaters by not being allowed into shallow waters and ask to have the same rights and access as every other user.

Newton Cook, Thanked Fred Davis for all of his effort on public access and also Dan Thayer for keeping invasives under control.

Bishop Wright, Thanked the SFWMD for their work on the restoration of the Kissimmee River. People need to attend the PUA meeting; we want to use the land fairly.

Michele Sandharbor, Thanked Fred Davis for all his work, but as an equestrian she has a great concern about airboats getting too close to shore.

Paul Gray, Thanked Fred Davis for all his work but as airboat owner he encourages the dialogue to keep going to resolve all the issues.

Anita Allen: As a kayaker I would ask the District to consider other public users of these amenities when creating management rules for these areas.

Patrick Hayes, wants to thank the District for all the help with the trail from the ocean to the lake. It is a multi use trail. All the land needed has been acquired.

Barbara Jean Powell would like a group of stakeholders to create rules and regulations regarding airboat users.

Chair Collins, from the Board perspective, we have a responsibility to balance the use and the users. We welcome comments from advocacy. Let's keep working to find a solution.

Barbara Jean Powell: We would like the group to be something similar to the WRAC Recreation workgroup and for the stakeholders to draft the recommendations.

Chair Collins: I will discuss this with Rick Smith, but we will need all stakeholders to be represented not just advocacy groups.

Gene Duncan, supports the airboaters and feels they have been discriminated against. Also, would like the hydralia to be left in the canals because it helps with the water quality.

Chair Collins: We will work on these issues and come to a consensus.

5. South Florida Ecosystem Restoration (SFER) Task Force "Plan for Coordinating Science" - Rock Salt, Sr. Everglades Policy Analyst, U.S. Department of the Interior

15p /15d

Rock Salt did a presentation on the Science Coordination Group

Questions and Answers:

Who is reviewing this doc?

A: There is an independent panel conducting this review, some of the members are part of the University of Georgia. They usually work with the District.

Is there an assumption that the databases are updated?

A: Agencies that have information should be integrated into the database.

Information sharing, will it include Peer review?

A: Information from different groups can be added to a topic and made available thru the database.

Science Coordination Council, will it provide quarterly reviews?

A: This is to be used as a reference document. The role of the Task Force is to coordinate between agencies. The Task Force can't direct anything, doesn't have a budget to do anything, only the coordination of the Science.

Chair Collins: There is misunderstanding from constituents that this document is a guide to restoration. We need to be careful with the expectations and what is essential to restoration. We need to go thru the list and prioritize what is absolutely essential to be done for the restoration. I am very uncomfortable with what this document is going to become.

6. Lunch - 12:15 -1:15

60m

7. Regional Water Availability Update, Scott Burns, Director, Water Supply Policy and Implementation, Water Supply Department (handout provided at meeting).

15p 15d

Cal Neidrauer did a presentation on Water Conditions

Scott Burns reported on Regional Water Availability

Questions and Answers:

There were questions on the forward pumps, are they going to be ready on time?

A: They will be ready, they will not be installed ahead of time, we have to wait until we are in a declared water shortage.

What do the different numbers in the presentation mean to different users?

A; The best explanation can be found on our website, Scott Burns proceeded to give a brief description.

Rick Smith made an announcement regarding the December 5&6, 2006 meeting. He also asked for a consensus for the next Lake Okeechobee meeting. The group agreed on January 3 as the next Lake Okeechobee Committee meeting.

8. Lake Okeechobee Service Area Water Shortage Plan Update, Scott Burns Director, Water Supply Policy and Implementation, Water Supply Department (handout provided at meeting).

* Public Comment - 15m

15p/15d

Cecile Piverotto presented an update on the Water Availability Rule Development.

Questions and Answers:

There was a request to simplify the search of the rule on the WEB. Cecile will forward a simpler link to the WRAC staff so that we can forward to all the members.

Public Comments:

Cynthia Pockleman commented on a way to link all the search engines.

9. Kissimmee Basin Water Supply Plan Update, John Mulliken, Dir., Div. of Planning, Water Supply Dept., SFWMD (handout provided at meeting).

* Public Comment - 15m

10p 10d

Chris Sweazy presented on the Kissimmee Water Supply Plan Update

Questions and answers:

There was a mention of reuse water to be used for energy plants. Where are these plants going?

A: We have contacted FPL and there are no new plants within this region. The only plant in the region is the Kissimmee Utility Authority and they have a contract to use reclaimed water for their future needs.

What kind of coordination have you had with local governments?

A: This plan has been in process for over two years. We have used the BEBR population but have included current growth as provided by different counties.

What will be the effect of using surface water bodies for MFLs and reservations?

A: The water bodies that have been identified are the Kissimmee Chain of Lakes. By next summer we'll know about the availability of these bodies of water and we will then have legal start working on the rules for MFLs and reservations.

10. Proposed Revisions to the Long-Term Plan for Achieving Water Quality Goals
- a. EAA Conveyance and Regional Treatment Project (ECART), *Maria Clemente, Lead Project Manager, Accelerated Projects*
 - b. Integration of L-8 Project and Long-Term Plan, *Tracey Piccone, Long Term Plan Program Manager, STA Management Division, and Mike Voich, Lead Project Manager, CERP Project Management*
 - c. L-28 Plug Project, *Stacy Myers, Sr. Environmental Analyst, Environmental Resource Compliance*
 - d. Source Control Projects in Non-ECP Basins, *Carlos Adorisio, Sr. Supervising Engineer, Everglades Regulation*
 - e. Manatee Barriers on Lake Okeechobee Outlet Structures, *John Mitnik, Sr. Supervising Engineer, Accelerated Projects*

* Public Comment - 15m

30p 15d

Tracey Piccone gave a report on the EAA Conveyance and Regional Treatment Plan and the L-8 Reservoir. Mike also presented on the L-8 Project and Long Term Plan

Questions and Answers:

Is the north river fork going to be widened?

A: The capacity will be enlarged to move the water to where is needed.

Paul Linton presented information on Big Cypress L-28 Project

Questions and Answers:

Are we trying to keep problematic water to go south?

A: No it is from keeping the water going north as requested by the tribe.

Carlos Adorisio presented on the revisions to the NON-ECP Basins.

Questions and Answers:

Do these pumps have operating permits?

A: A schedule will determine when is absolutely necessary to operate the pumps.

John Minick, Presented on the Manatee Barriers.

Why do we need manatee barrier on STA5?

A: We have been asked to protect all the structures.

Bubba Wade, move the items to the December Governing Board meeting with WRAC's approval.

11. Adjourn: 4:35 p.m